

REMARKS

In response to the Official Action mailed June 13, 2005, Applicant requests reconsideration in view of the following remarks. In this Response After Final, no claims are canceled and claim 37 is added. Claims 1-3, 5-15, 17-27, and 29-36 were pending in this application and under consideration by the Examiner. All pending claims stand rejected.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1-3, 5, 9, 10, 13-15, 17, 21-27, 29, and 33-36 are rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over *Lewallen* (U.S. Patent No. 6,854,123, hereinafter “*Lewallen*”) in view of alleged Admitted Prior Art (“*APA*”). In addition, claims 6-8, 18-20, and 30-32 are rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over *Lewallen* in view of the alleged *APA*, in further view of *XPCOM*. Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over *Narin et al.* (U.S. Patent No. 6,691,176, hereinafter “*Narin*”) in view of the alleged *APA*. Applicant respectfully traverses these rejections.

In Applicant’s Amendment of February 22, 2005, Applicant respectfully traversed the Examiner’s assertion of “Admitted Prior Art.” Applicant never admitted that the cited portions of the specification were “prior art” as defined by law (See M.P.E.P. 2129 and 35 U.S.C. § 102). The Examiner has again asserted that the cited portions of the specification are “prior art,” and repeated this assertion without addressing Applicant’s traversal. “Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant’s arguments and answer the substance of it.” MPEP § 707.07(f). Applicant respectfully submits that, for clarity of the record, the Examiner is required to address Applicant’s traversal or else

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find new grounds for the rejection. A response to Applicant's arguments is respectfully requested.

The Examiner asserts that the scriptable and non-scriptable APIs of the alleged *APA* may be made accessible to one another via the bridges of *Lewallen*, and that this combination would have been obvious to one of ordinary skill in the art. (page 3, paragraph 5 of the Official Action). Applicant respectfully submits that this assertion is false. *Lewallen* relates to an interface bridge between a standard set of APIs and a user interface (UI) API of a user interface program. (See column 1, lines 22-28; column 3, lines 36-51; and column 4, lines 17-30 of *Lewallen*). There is absolutely nothing in *Lewallen* to suggest that the standard set of APIs is a scriptable plug-in API or that the UI API is a non-scriptable plug-in API. In fact, there is no basis for the Examiner's presumption that *Lewallen*'s bridge could work between the scriptable and non-scriptable plug-in APIs of the alleged *APA*. Compatibility between scriptable and non-scriptable plug-in APIs poses a very different problem than allowing a Java program user interface to have the same look and feel as the underlying web browser. (See column 4, lines 2-24 of *Lewallen*). Accordingly, there is no basis for a motivation to combine the references as proposed by the Examiner, because there is no expectation that the proposed modification could work. For at least this reason, *prima facie* obviousness has not been established.

Furthermore, Applicant respectfully submits that the Examiner has used impermissible hindsight in constructing a motivation to combine the alleged *APA* and *Lewallen*. The Examiner asserts that it would have been obvious to make the proposed combination because it would "improve the efficiency of APA's [sic] system by allowing the java developer to utilize the APA interface standards to access non-Java components in the operating system." Applicant contends

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that the rationale for the Examiner's proposed motivation is based principally on information gleaned from Applicant's disclosure, and is not based on suggestion found within the knowledge of one of ordinary skill at the time of the invention. The identification of the problem solved by the present invention, and thus the motivation to solve the problem, is found only in the present application. Thus, the Examiner's motivation to combine the alleged *APA* and *Lewallen* is impermissible. For at least this reason, *prima facie* obviousness has not been established.

Accordingly, Applicant submits that *Lewallen*, alone or in combination with other cited references, fails to teach or suggest all the limitations of claims 1, 13, and 25, and respectfully requests that the rejection to these claims be withdrawn. Claims 3, 15, and 27 recite similar limitations and are thus allowable for at least the same reasons as given for claims 1, 13, and 25, respectively. Claims 5-10, 17-22, and 29-34 depend from independent claims 3, 15, and 27, respectively. Thus, claims 5-10, 17-22, and 29-34 should be deemed allowable for at least the same reasons as given for claims 3, 15, and 27.

Furthermore, *Lewallen*, alone or in combination with other cited references, fails to teach or suggest all of the limitations of claim 23. For example, *Lewallen* fails to teach or suggest a scriptable plug-in "able to perform an inter-thread call through [a] proxy support interface." The Examiner asserts that this limitation is taught by *Lewallen* at column 8, lines 34-39, which states:

In this way, the proxy object exposes the Java object and corresponding W3C API interface to one or more UI interfaces and objects. When processing calls to such a Java object, the bridge 4 would transform the call to the Java object to the multiple UI API interfaces specified in the proxy object to which the node info for the Java object points.

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Notably, this portion of *Lewallen* says nothing of an “inter-thread call” as recited in claim 23. Moreover, *Lewallen* suggests that the call is made to a Java object. In fact, a scriptable plug-in would not need a proxy interface to call a Java object as it could call Java methods directly. Thus, Applicant respectfully submits that *Lewallen* teaches neither a scriptable plug-in making a call through a proxy interface, nor an inter-thread call. Claims 11 and 35 recite similar limitations, and are thus allowable for at least the same reasons given for claim 23. Claim 12, 24, and 36 depend from claims 11, 23, and 35, respectively, and thus should be deemed allowable for at least the same reasons given for claims 11, 23, and 35.

The Official Action states that Applicant’s arguments filed February 22, 2005, are moot in view of the new grounds of rejection. However, claims 11 and 12 are not rejected on new grounds. The rejection of claims 11 and 12, in view of the combination of *Narin* and the alleged *APA*, is identical to the rejection of those claims made in the Official Action mailed October 19, 2004. Accordingly, the Examiner has repeated a rejection without answering Applicant’s traversal of that rejection, in contravention of USPTO procedure. “Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant’s arguments and answer the substance of it.” MPEP § 707.07(f). Applicant’s previous arguments against the rejection of claims 11 and 12 are repeated below for the Examiner’s convenience. Applicant respectfully requests an answer to these arguments.

With respect to independent claim 11 as amended and with reference to exemplary Figures 6A and 6B, Applicant teaches, for example, a scriptable plug-in API that includes a “scriptable plug-in” 600 and a proxy support interface (e.g., non-scriptable interface support proxy or “nsISupports Proxy” in Fig. 6B) that is operatively configured to allow the scriptable

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plug-in 600 to perform inter-thread calls through said proxy support, such as an inter-thread call to a non-scriptable plug-in.

Narin discloses that "the service manager [190] and interface [(either ActiveX control interface 195 or Plug-In interface 196)] act as a proxyon behalf of the scripting space" of the respective browser. (See *Narin*, Col. 14:43-46; Fig. 8B). *Narin* further discloses that the service manager and interface proxy "are provided to form a communication line [i.e., a single thread] between the scripting space and the services" of the ActiveX control or Plug-In. (See *Narin*, Col. 14:41-43; Fig. 8B). But *Narin* fails to teach or suggest that the service manager and interface proxy allows a scriptable plug-in to perform an inter-thread call, for example, to another scriptable plug-in or to a non-scriptable plug-in as taught and claimed by the Applicant.

Accordingly, Applicant submits that *Narin*, alone or in combination with other cited references, fails to teach all the limitations of claim 11, and respectfully request that the rejection to these claims be withdrawn. Claims 12 depends from independent claim 11. Thus, claim 12 should be deemed allowable for at least the same reasons as given for claim 11.

Moreover, because Applicant's traversal of the Examiner's assertion of "Admitted Prior Art," as well as the traversal of the rejection of claims 11 and 12, went unanswered, the finality of the Official Action is improper. A new Official Action is respectfully requested.

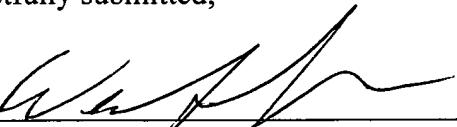
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II. Conclusion

In view of the above amendments and remarks, Applicant submits that claims 1-3, 5-15, 17-27 and 29-37 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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